

Chapter 17.16

BOARD OF ADJUSTMENT--CITY COUNCIL--REGIONAL PLANNING COMMISSION--PLANNING DIRECTOR

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17.16.010 Board of adjustment created-Rules.

The board of adjustment is created. The city council shall ex officio constitute the members of the board, with the mayor as chairman thereof. The rules and procedure of the city council shall govern unless expressly provided otherwise. (Ord. 617 § 1.1 Exh. A (part), 1996)

17.16.020 Administrative actions only.

A. All actions of the board of adjustment shall be limited to administrative actions in order to insure that the intent and purposes of this title shall apply in special cases as provided in this code.

B. Any action of the board which has the effect of changing the provisions of this title or the land use plan is void, but the board action may recommend that the city council consider a change of or amendment to the title or plan. (Ord. 617 § 1.1 Exh. A (part), 1996)

17.16.030 Powers and duties.

The board of adjustment:

- A. Shall hear and decide appeals as provided in the Planning Act;
- B. Shall sit and decide upon all matters properly referred to it or of concern in the administration of this title;
- C. May adopt regulations and procedures;
- D. May hold meetings as an agenda item of regular or special city council meetings or may hold special meetings as a board of adjustment only. (Ord. 617 § 1.1 Exh. A (part), 1996)

17.16.040 Duties of the city council.

A. The governing body of the city shall not enforce private covenants and other deed restrictions. If any provision of the zoning ordinance imposes a lesser restriction upon the use of land, or upon the height, bulk, location or use of buildings than is required by private covenants or their restrictions, the provisions of the zoning ordinance shall prevail.

B. The city council shall take final actions on all zone changes, text changes, parcel maps, subdivision applications and special use applications, except home occupation and home based business applications.

C. An appeal from an action taken by the planning director, regarding a requirement of this title, shall be made only to the board of adjustment/city council of the city pursuant to the provisions of Chapter 278, Nevada Revised Statutes. (Ord. 617 § 1.1 Exh. A (part), 1996)

17.16.050 Duties of the regional planning commission.

A. Permits for home occupations applications shall be scheduled for public hearing and be reviewed by the Humboldt County regional planning commission subject to approval or denial.

B. Zone changes, site plans, text changes, parcel map, subdivision applications, and special use permit applications, except home occupation applications, shall be scheduled for public hearing and a recommendation made to the city council for final approval or denial. (Ord. 617 § 1.1 Exh. A (part), 1996)

17.16.060 Duties of the planning director.

A. The planning director shall sign off on all approved parcel maps after all conditions are in compliance.

B. The planning director shall sign all boundary line adjustment maps after assuring such maps comply with all appurtenant legislation.

C. The planning director shall administer the provisions of this title.

D. Those duties not enumerated above shall be retained by the city council. (Ord. 617 § 1.1 Exh. A (part), 1996)